

**MINUTES OF THE REGULAR
PLANNING COMMISSION MEETING
HELD ON WEDNESDAY, JANUARY 27, 1999
7:30 P.M., EDINA CITY HALL COUNCIL CHAMBERS**

MEMBERS PRESENT:

Acting Chair Helen McClelland, David Runyan, Ann Swenson, John Lonsbury, Ann Swenson, and Geof Workinger

MEMBERS ABSENT:

Gordon Johnson, David Byron and Charles Ingwalson

STAFF PRESENT:

Craig Larsen and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the December 1, 1998, meeting were filed as submitted.

II. NEW BUSINESS:

**C-99-1 Our Lady of Grace
5071 Eden Avenue**

**Request: Conditional Use Permit to allow construction of
school addition to existing church/school
structure**

General Location: South of Eden Avenue and west of Highway 100.

Mr. Larsen informed the Commission Our Lady of Grace church and school is seeking approval for an addition to its school complex, to be located south of the sanctuary and west of the existing gymnasium. The addition would occupy part of an existing parking lot. The proposed two story addition would contain a total area of 22,260 square feet, and would provide new classrooms

and a multi-purpose room. The addition would be connected to the sanctuary and gymnasium.

Mr. Larsen stated the proposed expansion area is now a parking lot containing 112 spaces. The addition would reduce the size of the lot to 50 spaces. After the addition there would be a total of 345 parking spaces on-site. Mr. Larsen explained based upon 1 space for each three seats in the largest place of assembly, the site would require 300 parking spaces. According to church representatives there are no concurrent activities which add to parking demand on Sundays. Therefore, available parking exceeds parking demand, and no variance is required.

Mr. Larsen noted the proposed addition would provide space needed to handle existing and projected space for the school. The addition contains 10 classrooms and a large multi-purpose facility. The proposed facilities are not expected to create additional parking demand during peak activity periods.

Mr. Larsen pointed out the proposed addition would provide a 56 foot set back from the southerly property line, where a 50 foot minimum set back is required. Thus, the addition meets setback requirements. All other building setbacks greatly exceed minimum setback requirements.

The proposed exterior materials for the addition would be brick with stone or precast accents which would match the existing buildings. The materials comply with ordinance requirements.

Concluding, Mr. Larsen stated staff recommends approval of the requested Conditional Use Permit. The addition meets all Zoning Ordinance requirements, does not remove any existing green space, and would not create additional parking or traffic problems. Approval should be conditioned on:

- Watershed district grading and water quality permits

Mr. Paul Smith, and Bob Stratchota, Our Lady of Grace, Jeff Smith, Opus, and Richard Brownlee, Station 19 Architects, were present representing Our Lady of Grace church and school.

Commissioner Runyan questioned if Our Lady of Grace school is serviced by a bus transit system. Mr. Smith responded Our Lady of Grace school is served by the Edina School District bus transit system. He added 50 students are also dropped off and picked up by their parents.

Commissioner Runyan referred to a letter from a nearby resident that listed some concerns, specifically their comment regarding lighting. Commissioner Runyan asked if the present lighting situation along the south residential boundary could be addressed.

Mr. Smith said the church and school want to be a good neighbor, and will discuss and handle the expressed lighting concern promptly. Mr. Smith explained the light-wash problem mentioned in the letter can be handled through the general operating budget so there will be a minimal wait to alleviate the problem.

Commissioner Workinger asked how many students attend Our Lady of Grace school, and the grade span. Mr. Smith said the school has approximately 500 students, and is K through 8th grade.

Commissioner Swenson noted the comment also mentioned by the neighbor regarding trash storage. Mr. Smith explained the school and church have a large dumpster that sits between the school and row of garages. The dumpster is located in this area to service the schools kitchen, and is screened from the street by the row of garages. Mr. Smith acknowledged residents may be able to view the dumpster from their rearyard areas. Mr. Smith added the trash dumpster can probably be placed in one of the garages. Mr. Larsen interjected City Ordinance states trash containers cannot be visible from the street.

Commissioner Workinger stated he wants church staff to review the dumpster situation, and find a solution. Mr. Smith responded the church will review the dumpster situation, reiterating the solution may be to locate the dumpster in one of the vacant garages. Commissioner McClelland interjected it may also be possible to keep the dumpster in its present location, but screen it from the neighboring residential properties with a fence/lattice enclosure or another similar enclosure.

Commissioner Lonsbury stated he would like more discussion on the lights, and the problem caused from the light-wash. Mr. Larsen said City Ordinance states lights cannot wash onto neighboring properties and the church is now informed there is a concern regarding this issue. Mr. Smith interjected the lighting can be resolved before construction begins on the school project.

Commissioner Bergman asked what the proposed addition will entail. Mr. Larsen responded the proposed addition is for ten new classrooms, and one large meeting room.

A discussion ensued with Commission members in agreement the proposed addition meets all Ordinance standards, requirements, and setbacks. The Commission indicated they can support the proposal as submitted.

Commissioner Lonsbury moved to recommend Conditional Use Permit approval subject to the issuance of Watershed grading and water quality permits, and subject to the condition that the existing lighting along the residential

property line be brought into compliance with City Code. Commissioner Workinger seconded the motion. All voted aye; motion carried.

S-99-1	Northview Development Corporation
Request:	Three Lot Single Dwelling Subdivision
General location:	West of Londonderry Drive extended

Mr. Larsen addressed the Commission informing them the proponent, Mr. Jeff Gustafson has recently submitted a revised two lot subdivision plan and has withdrawn his request for a three lot subdivision.

With graphics Mr. Larsen pointed out the differences between the originally submitted three lot subdivision and the recent two lot submission.

Mr. Larsen asked the Commission to note in the early 70's a traffic study was completed on this section of the City. Mr. Larsen asked the Commission to note the 70's plan indicated Londonderry Drive extended as a through street. At this time that roadway system is considered abandoned

Mr. Larsen pointed out in the staff report staff indicated they could not support the three lot subdivision proposal. Mr. Larsen said at this time after review of the revised plan staff can support the revised two lot plan.

Approval should be conditioned on:

- Developers Agreement
- Parklawn Dedication
- Nine Mile Creek Watershed grading and water permits.

The proponent, Mr. Jeff Gustafson was present to respond to questions.

Commissioner Runyan questioned Mr. Larsen if one house could be constructed on the site today. Mr. Larsen said that is correct. The City recognizes this as one lot. The subdivision process has been triggered because of the request of the proponent for an additional lot. Mr. Larsen expanded his comments by pointing out the revised plan now depicts lots that are in excess of one acre in size. The two lot subdivision reduces the amount of fill required and eliminates disturbance of the wetlands. Continuing, Mr. Larsen said the

reduction in the radius of the cul-de-sac from 42 to 35 feet also affords more wetland protection. Concluding Mr. Larsen said the proposed two lot subdivision has addressed staffs original concerns.

Mr. Larsen addressed the Commission, and referred to concerns expressed to him from nearby residents by phone or letter. Mr. Larsen explained in the spring the wetlands and grading areas will be verified. Mr. Larsen said the goal of the City is to ensure this development does not negatively impact neighboring properties. Review of the wetlands includes the consideration of existing homes downstream. Mr. Larsen referred to a concern raised by a nearby resident regarding construction debris and the potential that debris may end up in the creek. Mr. Larsen explained the developer is responsible for all construction clean up on land, and in the wetland areas. Mr. Larsen noted this parcel is located in the Hopkins School District, and the City of Edina has no control over this.

Mr. Gustafson, Northview Development Corporation, told the Commission his goal is to conserve the waterway. He added it is in his best interest to do so. Continuing, Mr. Gustafson said the platting arrangement has created a triangle, and this area will be placed in public ownership. Mr. Gustafson said he will also donate the street and boulevard to the City. Mr. Gustafson reiterated all wetlands will be in public ownership.

Commissioner McClelland asked if Gustafson if one driveway could serve each house. She suggested one curb cut that splits partially up the drive. She commented the lots appear to be equal in size, noting it is difficult to work with a cul-de- sac situation.

Mr. Gustafson responded he did not consider that because of the lot width requirement.

Commissioner Runyan asked Mr. Gustafson about the storm water run-off. Mr. Gustafson explained a catch basin is planned that will handle storm water run-off. He added Barr Engineering will review the area in May when the snow has melted to determine the best location for the catch basin.

Commissioner Bergman asked Mr. Gustafson if the proposed houses are spec. Mr. Gustafson said the proposed houses will be custom built.

Commissioner Swenson asked Mr. Gustafson if he plans to construct both houses. Mr. Gustafson said at this time that is his plan.

Commissioner Bergman noted the close proximity of the wetlands, and asked Mr. Gustafson if he believes the homes need to be constructed with pilings. Mr. Gustafson said preliminary review indicates not. Mr. Gustafson added soil tests will be conducted in the spring.

Commissioner Swenson noted on the plans the existing sewer and water lines and questioned Mr. Gustafson if he plans on tapping into the existing sanitary sewer and water lines. Mr. Gustafson responded that is correct.

Commissioner Swenson questioned the NSP utility hook-up. Mr. Gustafson said the proposed development will also be able to use the existing standard. Mr. Gustafson said the utility company informed him to serve two additional houses a new transformer may be required, but the existing standard is adequate.

Commissioner Runyan asked Mr. Gustafson if the grades to the proposed garages may pose a problem. Mr. Gustafson said the grade change will be gradual, and should pose no problems.

Mr. Sullivan, 6705 Parkwood Lane, asked the percent of fill that will be required to develop the proposed lots.

Mr. Larsen said fill will be less than 20%.

Mr. Sullivan stated he does not want to see the site totally razed. He said he wants the quality trees, and as much vegetation as possible saved. Mr. Sullivan also pointed out if this piece of land is stripped of all vegetation the noise from 169 will be louder. Mr. Sullivan stressed he does not want to see this site cleared like the site on Vernon Avenue. He pointed out that area was very wooded, and now the wooded area is lost to the new houses.

Commissioner McClelland said the property located on Vernon Avenue and Olinger was rezoned to Planned Residence District for development of 26 single units under a townhouse plat. She pointed out the land uses are not similar. She added in her opinion it is in the best interest of a developer of single family homes to maintain as many trees as possible. Commissioner Bergman interjected adding when Olde Vernon was being developed the developer ran into an unusual situation. The Olde Vernon site was used for years and years as a dumping area for bottles, cans, old tires, etc. The site had to be cleared and cleaned of all dumping materials which created more disturbance to the vegetation. She stated that is one reason Olde Vernon appeared to be almost completely "cleared".

Mr. Gustafson interjected and informed the Commission it is his goal to maintain as much vegetation as conceivable and create as little disruption to the area as possible.

Russ and Kathy Nelson informed the Commission they own the vacant lot directly adjoining the subject site. They explained they have a concern if construction of the cul-de-sac proceeds as submitted their lot will now have two

cul-de-sacs, and a road in close proximity to three of their property lines. Mr. Nelson asked if the proposed cul-de-sac can be moved farther north.

Mr. Gustafson said cul-de-sac placement is very critical. He added moving it farther north may result in the loss of more trees, and at present, the cul-de-sac is designed to fit with the topography while maintaining as much vegetation as possible. Mr. Larsen interjected the “south dip” of the proposed cul-de-sac may be the result of the grades. Continuing, Mr. Larsen said the option to extend the road created more disruption to the wetlands, which is something the City does not want to happen. Mr. Larsen pointed out to provide adequate emergency vehicle access and turn-around the cul-de-sac, at minimum, is required to maintain a 35 foot radius. He noted staff suggested the 35 foot radius. The original cul-de-sac had a radius of 42 feet. Mr. Larsen concluded stating the proposed location of the cul-de-sac may not be an ideal solution for everyone.

Mr. Nelson said he understands the goal is to preserve the wetlands, but pointed out it may be at the expense of his lot.

Mr. Gustafson interjected the cul-de-sac was also positioned in this location because it affords a lower profile that reduces the impact of vehicle headlights when they exit the site.

Commissioner McClelland assured Mr. Nelson the City will review the location of the cul-de-sac to determine the best location. If the location depicted is best from an Engineering and Planning standpoint the cul-de-sac will remain as presented.

Mr. Gustafson said he is willing to “tinker” with the layout of the cul-de-sac to see if it can be moved farther north. Continuing, Mr. Gustafson said he needs to follow City and Watershed guidelines regarding the location of the proposed cul-de-sac. He concluded he will work hard to find the least intrusive location for the cul-de-sac that also meets City and Watershed guidelines. Mr. Gustafson reiterated that until spring it is difficult to estimate the exact location of the floodplain.

Commissioner McClelland told Mr. Nelson he should contact the City Engineering department regarding the proposed cul-de-sac, road situation.

Mr. J. Safely, 6750 Parkwood Lane, said in his opinion the two lot revised plan presented this evening by Mr. Gustafson is a better plan. Mr. Safely said he does not want to see Londonderry Drive extended, and is in favor of Mr. Gustafson giving the City a portion of the wetland, and the road easement. Mr. Safely questioned Mr. Larsen if the surrounding properties will be assessed to pay for the new cul-de-sac and other utilities. Mr. Larsen responded the developer pays for all improvements.

Commissioner Runyan asked Mr. Larsen if this plan is approved, and moved forward, will the road easement be vacated. Mr. Larsen said that is correct. If this plan is approved the proponent has indicated his willingness to vacate the road easement.

Mr. D. Russell, 6623 Londonderry Drive, said his concern is focused on the creek and water run-off possibilities. He pointed out with more hard surface (cul-de-sac and driveways) flooding could occur on his property which is located "down stream". Mr. Gustafson responded nothing should change on your property as a result of the addition of two new houses. Mr. Larsen interjected the City has a process which includes engineering review. He added the proposed development should not create water run-off problems for any other site. Mr. Larsen commented it is possible during this process to actually improve existing conditions.

Mr. Russell explained that presently when there is a large rain or snow-melt the water from the creek can come to within 15 feet of their home. Continuing, Mr. Russell added if the creek bed becomes clogged with debris the water can also creep up towards the house.

Commissioner McClelland suggested that Mr. and Mrs. Russell "put themselves in the process" and speak to Mr. Hoffman about their concerns.

Commissioner Workinger asked Mr. Russell his location in comparison with the flood plain. Mr. Russell said his home is constructed three feet above the flood plain. He added he hopes the addition of two new homes will not exacerbate the problem.

Commissioner Lonsbury referred to an air photo located in the packet, and asked Mr. Larsen if he knows the date of the photo. Mr. Larsen said the air photo was taken in 1994.

Commissioner Swenson questioned the neck lot situation. Mr. Larsen said the neck lot can be eliminated, but what is presented allows the land to the south to be dedicated to the City.

Commissioner Workinger said if the neck lot appears offensive can the City grant variances and/or move the cul-de-sac to the west.

Mr. Larsen explained any movement of the proposed cul-de-sac could impact the wetlands and possibly "crimp" the width of one of the proposed lots. A variance situation may need to be considered if that occurs. Mr. Larsen asked the Commission to note this proposal is in the preliminary stages, and changes can be made. He reiterated in this situation the protection of the existing wetland is very important.

Commissioner McClelland stating in reviewing the air photo the proponent could leave as many trees and vegetation as possible near the property line that adjoins the Nelsons, adding additional vegetation can also be planted along the adjoining property lines to “buffer” the cul-de-sac from their view.

Mr. Larsen agreed, adding, maintaining existing vegetation and additional plantings is a plus situation for everyone.

Commissioner Swenson moved to recommend preliminary plat approval subject to staff conditions, subject to the revised plan as illustrated, subject to the City reserving the right of final approval on the driveways, subject to verification of the wetlands, and vacation of the road easement. Commissioner Lonsbury seconded the motion. All voted aye, motion carried.

III. ADJOURNMENT:

The meeting was adjourned at 9:35 p.m.

Jackie Hoogenakker